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10/081,819	02/22/2002	Edward O. Clapper	ITL.0694US (P13225)	3076

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EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 09/12/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/081,819

Applicant(s)

CLAPPER, EDWARD O.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) 1-8 and 15-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 9-14 and 23-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 9-13, 23-27, 29, 31-34 and 36-39 are rejected under 35 U.S.C. § 102(e) as being anticipated by Szlam et al, U.S. Patent No. 5,675,637 (hereinafter Szlam).

With regards to claim 9, the following limitations read upon Szalm. "A system comprising", reads on Figure 1. " A processor" reads on the 10A from Figure 1. Szlam teaches agent station 10, comprises a computer (col. 10, line 22). All computers contain processors. Hence Szlam teaches the claimed processor. "A storage associated with the processor to store a first database with a plurality of records, each containing a

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telephone number, a name and other information", reads on the combination of 10A and 13A from Figure 1. According to Szlam, HOST1 is a database containing names, addresses, telephone numbers and other information (col. 10, lines 45-48). The combination of HOST1 and the agent station is functionally equivalent to the claimed storage. "An application stored in said storage that enables said processor to access the telephone number of a second party to an ongoing telephone call, search said first database for a record containing said telephone number, and display a name, telephone number and other information associated with said record" reads on Szlam's interpreter application program (Figure 5 and col. 16, lines 10-65). Columns 20 through 22 of Szlam explain that when an incoming call is received the interpreter application is able to use the telephone number of the incoming call to retrieve information from various sources. This information is then displayed to the agent station. Szlam further mentions that the interpreter application program is not limited to agent stations but may also be used on any device that needs to obtain information from another source or sources (col. 20, lines 60-65). Therefore Szlam teaches all the claimed limitations of claim 9.

Regarding claims 10-12, see col. 16, lines 10-65.

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Regarding claim 13, see col. 5, lines 10-15.

Regarding claim 23, Szlam discloses a method comprising receiving in a first system a search query for information associated with a second party during a telephone call, obtaining the information from the first system if it is present in the first system, searching at least one remote source for the information if it is not present in the first system and providing the information to the first system from the remote source (col. 10, line 37 to col. 11, line 15).

Regarding claim 24, see Figure 5.

Regarding claims 25 and 26, see col. 21, lines 1-25 and col. 22, lines 5-20.

Regarding claim 27, see col. 20, lines 35-45.

Regarding claim 29, see Figure 3.

Claim 31 is rejected for the same reasons as claim 23.

Claim 32 is rejected for the same reasons as claim 24.

Claim 33 is rejected for the same reasons as claim 26.

Claim 34 is rejected for the same reasons as claim 27.

Claim 36 is rejected for the same reasons as claim 29.

Regarding claim 37, see col. 9, line 60 to col. 10, line 35.

Regarding claim 38, see col. 20, lines 25-30.

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Regarding claim 39, see Figure 1, col. 21, lines 1-25 and col. 22, lines 5-20.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 14, 28 and 35 are rejected under 35 U.S.C § 103(a) as being unpatentable over Szlam in view of Tatchell et al, U.S. Patent No. 6,160,877 (hereinafter Tatchell).

Regarding claim 14, Szlam does not disclose the storage stores a sequential listing of telephone numbers of outgoing telephone calls and caller identification information for incoming telephone calls. However Tatchell discloses this limitation (col. 5, lines 9-11). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Szlam with the sequential listing taught by Tatchell. This modification allows the subscriber to

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be able to review a list of incoming calls provided to an agent as suggested by Tatchell (col. 13, lines 30-35).

Regarding claim 28, Szlam does not disclose storing the telephone call in a call history in the first system. However Tatchell discloses this limitation (col. 5, lines 9-11). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Szlam with the call history taught by Tatchell. This modification allows the subscriber to be able to review a list of incoming calls provided to an agent as suggested by Tatchell (col. 13, lines 30-35).

Claim 35 is rejected for the same reasons as claim 28.

5. Claim 30 is rejected under 35 U.S.C § 103(a) as being unpatentable over Szlam in view of Shooster, U.S. Patent No. 6,188,762 (hereinafter Shooster).

Regarding claim 30, Szlam discloses the plurality of remote sources includes a remote service provider and a network (col. 11, lines 25-50). Szlam does not disclose the network is the Internet. However Shooster discloses this limitation (see abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to

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modify Szlam wherein the remote source includes the Internet as taught by Shooster. This modification would allow for retrieval of data from a remote host as suggested by both Shooster and Szlam.

### ***Response to Arguments***

6. Applicant's arguments have been addressed in the rejection of claim 9.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,



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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*O.A.*  
Olisa Anwah  
Patent Examiner  
September 2, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
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